

## **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions and listings of claims in the application:

### **Listing of Claims:**

1. (Currently Amended) A device for joining a first body vessel to a second body vessel, comprising:

an inner member having a distal end portion and a fluid transmission region near the distal end portion through which fluid may pass from an interior of the inner member to an exterior of the inner member, the inner member defining a longitudinal axis;

an outer member defining a lumen dimensioned to receive the inner member therein;

a radially expandable anchor disposed at the distal end of the inner member adjacent the fluid transmission region, the expandable anchor having an initial condition wherein the expandable anchor is disposed between the outer member and the inner member and an expanded condition, the expandable anchor moving to the expanded condition upon absorbing fluid; and

a sheath disposed about the expandable anchor for defining the shape of the expandable anchor when in the expanded condition such that a distal end portion of the expandable anchor is radially larger than a proximal end portion of the expandable anchor in the expanded condition.

2. (Original) The device according to claim 1, wherein the expandable anchor is made from at least one of a sponge-like and a foam-like material.

3. (Original) The device according to claim 2, wherein the expandable anchor has a frusto-conical shape when in the expanded condition.

4. (Original) The device according to claim 3, wherein a distal end portion of the expandable anchor is radially larger than a proximal end portion of the expandable anchor when in the expanded condition.

5. (Original) The device according to claim 2, wherein the expandable anchor radially expands upon contact with moisture.

6. (Original) The device according to claim 1, wherein the inner member comprises an inner tubular sleeve defining a central lumen extending therethrough.

7. (Currently Amended) The device according to claim 6, wherein the fluid transmission region of the inner tubular sleeve includes a ~~region near its distal end which is porous to permit transmission of moisture, via~~ plurality of lateral perforations extending between the central lumen ~~[[, to]]~~ of the inner member and an inner surface of the expandable anchor.

8. (Original) The device according to claim 6, wherein the expandable anchor is arranged, when in the expanded condition, to permit liquid to pass therethrough and drain through the inner tubular sleeve.

9. (Original) The device according to claim 1, wherein the expandable anchor defines at least one longitudinally oriented passage extending completely therethrough when in the expanded condition.

10. (Original) The device according to claim 1, further comprising a control unit, remotely located, for operating the anastomotic device.

Claim 11. (Cancelled).

12. (Original) The device according to claim 1, further comprising a grasper operatively connected to the distal end of the inner tubular sleeve.

13. (Original) The device according to claim 2, wherein the expandable anchor is fabricated from a bio-absorbable material.

14. (Original) The device according to claim 13, wherein the material dissolves after a predetermined period of time.

15. (Currently Amended) A device for performing a surgical anastomosis of a first body vessel and a second body vessel, comprising:

a pair of concentric tubular sleeves including an outer sleeve and an inner sleeve, each of the pair of concentric tubular sleeves having a distal end portion and a proximal end portion, and the inner member having a fluid transmission region disposed along a longitudinal length of the

inner member through which a fluid may pass from an interior of the inner member to an exterior of the inner member along the fluid transmission region; and

a radially expandable anchor adapted to expand in response to application of fluid through the fluid transmission region of the inner member, the radially expandable anchor operatively disposable between the distal end portions of the pair of concentric tubular sleeves, the radially expandable anchor including a proximal end portion configured for exerting a radially outward force on at least one of the first and second body vessels and a distal end portion for exerting a radially outward force on the other of the first and second body vessels.

16. (Original) The device according to claim 15, wherein the expandable anchor is fabricated from at least one of a foam-like and sponge-like material.

17. (Original) The device according to claim 16, wherein the expandable anchor has an initial condition for insertion of the anastomotic device through a body lumen and an expanded condition which inhibits withdrawal of the anastomotic device from the body lumen.

18. (Currently Amended) The device according to claim 17, wherein the expandable anchor is expanded from the initial condition to the expanded condition by ~~application of a~~ absorption of the fluid.

19. (Original) The device according to claim 17, wherein the expandable anchor has a frusto-conical shape when in the expanded condition.

20. (Original) The device according to claim 17, wherein the expandable anchor has a thin-walled cylindrical shape when in the initial condition.

21. (Original) The device according to claim 17, wherein the expandable anchor defines at least one longitudinally oriented passage extending entirely therethrough when in the expanded condition.

22. (Currently Amended) The device according to claim 17, wherein the inner tubular sleeve of the pair of concentric tubular sleeves includes ~~a region~~ a plurality of discrete regions of porosity formed near the distal end thereof defining the fluid transmission region, and wherein each of the regions of porosity is independently connected to a source of fluid.

23. (Currently Amended) The device according to claim 22, wherein ~~[[the]]~~ each region of porosity includes a plurality of perforations to transmit a fluid to the expandable anchor.

24. (Original) The device according to claim 23, wherein the inner tubular sleeve includes at least one longitudinally oriented lumen extending therethrough, wherein the lumen is configured and adapted to transmit the fluid to the plurality of perforations.

Claim 25. (Original) The device according to claim 16, wherein the expandable anchor is fabricated from a bio-absorbable material.

26. (Withdrawn) A method of performing a surgical anastomosis, comprising the steps of:

providing a device for performing the surgical anastomosis, the device including:

a member having a distal end portion;

a radially expandable anchor operatively disposed at the distal end portion of the member; and

a cover disposed over the radially expandable anchor; and

passing the device through an opening in a first body vessel and into a second body vessel such that a distal end portion of the expandable anchor is positioned at least partially within the second body vessel;

withdrawing the cover to expose at least the distal end portion of expandable anchor;

expanding at least the distal end portion of the expandable anchor within the second body vessel such that the expandable anchor engages the second body vessel;

moving the device until the second body vessel contacts a distal end of the first body vessel and a proximal end portion of the expandable anchor is positioned at least partially within the distal end of the first body vessel;

withdrawing the cover to expose the proximal end portion of the expandable anchor; and

expanding the proximal end portion of the expandable anchor within the distal end of the first body vessel such that the expandable anchor engages the distal end of the first body vessel.

27. (Withdrawn) The method according to claim 26, wherein the steps of expanding include the introduction of a fluid to the expandable anchor.

28. (Withdrawn) The method according to claim 26, wherein the expandable anchor is fabricated from at least one of a foam-like and sponge-like material.

29. (Withdrawn) The method according to claim 28, wherein the expandable anchor is expanded by application of liquid thereto.

30. (Withdrawn) The method according to claim 29, wherein the expandable anchor has a frusto-conical shape when in an expanded condition.

31. (Withdrawn) The method according to claim 29, wherein the expandable anchor has a thin-walled cylindrical shape when in a compressed condition.

32. (Withdrawn) The method according to claim 29, wherein the member comprises an inner tubular sleeve having a region of porosity formed near the distal end thereof and the liquid is introduced through the sleeve, through the region of porosity, to the expandable anchor.

33. (Withdrawn) The method according to claim 26, wherein the step of moving comprises approximating a body organ and a body lumen.

34. (Withdrawn) An anchoring device, comprising:

a member having a distal end;

a radially expandable anchor disposed at the distal end of the member; and

a cover disposed over the radially expandable anchor to maintain the radially expandable member in an initial pre-expanded condition.

35. (Withdrawn) The anchoring device of claim 34, wherein the cover comprises a tubular sleeve having a lumen sized to receive the member and the radially expandable anchor.

36. (Withdrawn) The anchoring device of claim 34, wherein the radially expandable anchor is sized so that upon removal of the cover, the anchor expands.

37. (Withdrawn) The anchoring device of claim 34, wherein the radially expandable anchor comprises a sponge that radially expands upon the introduction of a fluid.

38. (Withdrawn) A method of deploying an anchoring device, comprising:  
providing an expandable anchor, the expandable anchor being expandable upon introduction of a fluid;

introducing the fluid to a first portion of the expandable anchor so that the first portion is expanded and a second portion of the expandable anchor remains in the pre-expanded configuration; and

introducing the fluid to the second portion of the expandable anchor so that the second portion is expanded.

39. (Withdrawn) The method of claim 38, wherein the expandable anchor comprises a sponge and the fluid comprises a liquid.



40. (Withdrawn) The method of claim 38, wherein the expandable anchor comprises a membrane expanded upon introduction of the fluid.

41. (Withdrawn) The method of claim 38, wherein the first portion engages a body vessel upon expansion.

42. (Withdrawn) The method of claim 41, further comprising the step of moving the expandable anchor, after the first portion is expanded, so that a second body vessel is adjacent the second portion.

43. (Withdrawn) The method of claim 42, wherein the second portion engages the second body vessel upon expansion.

44. (Previously Presented) The device according to claim 15, wherein the radially expandable anchor is configured for exerting a radially outward force on an inner surface of the first and second body vessels along substantially the entire length of the radially expandable anchor.

45. (New) The device according to claim 1, wherein the fluid transmission region exhibits a length substantially equal to a length of the radially expandable anchor.

46. (New) The device according to claim 1, wherein the radially expandable anchor constricts against an outer surface of the inner member when the radially expandable anchor is in an expanded configuration.